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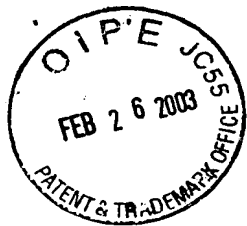
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Express Mail No. EL 500 578 150 US

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60/1617  
#165B  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Mueller et al.

Serial No.: 09/891,715

Group Art Unit: 1617

Filed: June 26, 2001

Examiner: Russell S. Travers

For: METHOD AND APPARATUS  
FOR TREATING ISCHEMIC  
TISSUE

Attorney Docket No.: 10177-142-999

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.56**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to References AA to EF listed on the attached revised form PTO 1449. Copies of the references are included herewith.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." as an alternative, Applicants submit herewith several pages of a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

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Pursuant to 37 C.F.R. § 1.97(b)(3), no fee is believed due for the filing of this information disclosure statement, since it is being filed before a first Office Action on the merits. Should any fees be required, please charge such fees to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Date February 26, 2003

Respectfully submitted,

*Gidon D. Stern* 27,469

*by: David D. Lee* 51,929 27,469

Gidon D. Stern (Reg. No.)

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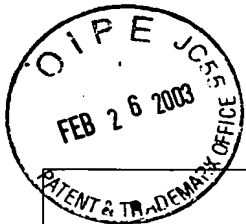
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## LIST OF REFERENCES CITED BY APPLICANT

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ATTY DOCKET NO.  
10177-142-999APPLICATION NO  
09/891,715APPLICANT  
Mueller et al.FILING DATE  
June 26, 2001GROUP  
1617

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	3,773,034	11/20/73	Burns <i>et al.</i>			
	AB	3,952,742	04/27/76	Taylor			
	AC	4,296,100	10/20/81	Franco			
	AD	4,531,936	07/30/85	Gordon			
	AE	4,657,536	04/14/87	Dorman			
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	AM	5,244,460	09/14/93	Unger <i>et al.</i>			
	AN	5,385,148	01/31/95	Lesh <i>et al.</i>			
	AO	5,419,777	05/30/95	Hofling			
	AP	5,489,575	02/06/96	Lee <i>et al.</i>			
	AQ	5,499,971	03/19/96	Shapland <i>et al.</i>			
	AR	5,507,724	04/16/96	Hofmann <i>et al.</i>			
	AS	5,569,160	10/29/96	Sauer <i>et al.</i>			
	AT	5,569,217	10/29/96	Luther			
	AU	5,571,215	11/05/96	Sterman <i>et al.</i>			
	AV	5,591,195	01/07/97	Taheri <i>et al.</i>			
	AW	5,653,684	08/05/97	Laptewicz <i>et al.</i>			
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	BA	5,698,531	12/16/97	Nabel <i>et al.</i>			
	BB	5,733,250		Withdrawn			
	BC	5,733,280	03/31/98	Avital			
	BD	5,797,870	08/25/98	March <i>et al.</i>			
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	BF	5,820,592	10/13/98	Hammerslag			
	BG	5,827,216	10/27/98	Igo <i>et al.</i>			
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BT	5,840,031	11/24/98	Crowley			
BK	5,840,059	11/24/98	March <i>et al.</i>			
BL	5,840,062	11/24/98	Gumaste <i>et al.</i>			
BM	5,843,050	12/01/98	Jones <i>et al.</i>			
BN	5,846,221	12/08/98	Snoke <i>et al.</i>			
BO	5,857,464	01/12/99	Desai			
BP	5,860,953	01/19/99	Snoke <i>et al.</i>			
BQ	5,871,495	02/16/99	Mueller			
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BS	5,882,332	03/16/99	Wijay			
BT	5,885,272	03/23/99	Aita <i>et al.</i>			
BU	5,891,133	04/06/99	Murphy-Chutorian			
BV	5,931,831	08/03/99	Linder			
BW	5,935,063	08/10/99	Nguyen			
BX	5,941,845	08/24/99	Tu <i>et al.</i>			
BY	5,941,868	08/24/99	Kaplan <i>et al.</i>			
BZ	5,964,754	10/12/99	Osypka			
CA	5,971,983	10/26/99	Lesh			
CB	5,993,443	11/30/99	Murphy-Chutorian <i>et al.</i>			
CC	5,997,525	12/07/99	March <i>et al.</i>			
CD	6,004,269	12/21/99	Crowley <i>et al.</i>			
CE	6,012,457	01/11/00	Lesh			
CF	6,024,703	02/15/00	Zanelli <i>et al.</i>			
CG	6,063,022	05/16/00	Ben-Haim			
CH	6,133,233	10/17/00	Ross <i>et al.</i>			
CI	6,183,444	02/06/01	Glines <i>et al.</i>			
CJ	6,161,543	12/19/00	Cox <i>et al.</i>			
CK	6,171,303	01/09/01	Ben-Haim <i>et al.</i>			
CL	6,179,809	01/30/01	Khairkahan <i>et al.</i>			
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	CS	WO 97/25101	07/17/97	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	CT	WO 97/47253	12/18/97	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	CU	WO 99/39624	08/12/99	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	CV	WO 00/57895	10/05/00	PCT			<input type="checkbox"/>	<input type="checkbox"/>



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CW	Padua <i>et al.</i> , "Basic fibroblast growth factor is cardioprotective in ischemia-reperfusion injury" <i>Molecular and Cellular Biochemistry</i> <b>143</b> : 129-135 (1995)
CX	Shi <i>et al.</i> , "PR-39, a proline-rich antibacterial peptide that inhibits phagocyte NADPH oxidase activity by binding to Src homology 3 domains of p47phox" <i>Proc. Natl. Acad. Sci.</i> <b>93</b> :6014-6018 (1996)
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EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

## LIST OF REFERENCES CITED BY APPLICANT

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DC	60/191,610	03/23/00	Tom			
	DD	3,797,491	03/19/74	Hurschman			
	DE	4,222,380	09/16/80	Terayama			
	DF	4,243,035	01/06/81	Barrett			
	DG	4,578,061	03/25/86	Lemelson			
	DH	5,034,003	07/23/91	Denance			
	DI	5,106,370	04/21/92	Stewart			
	DJ	5,322,511	06/21/94	Armbruster <i>et al.</i>			
	DK	5,380,279	01/10/95	Schmidt			
	DL	5,492,119	02/20/96	Abrams			
	DM	5,846,225	12/08/98	Rosengart <i>et al.</i>			
	DN	5,865,811	02/02/99	Doying, Sr. <i>et al.</i>			
	DO	5,951,516	09/14/99	Bunyan			
	DP	5,997,509	12/07/99	Rosengart <i>et al.</i>			
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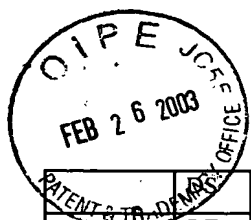
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DV	WO 00/18462	04/06/00				<input type="checkbox"/>	<input type="checkbox"/>
DW	WO 00/56224	09/28/00				<input type="checkbox"/>	<input type="checkbox"/>

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EA	Kipshidze et al., Therapeutic Angiogenesis in Patients with Advanced Coronary Artery Disease: Hype or Hope?, J Invas Cardiol 11 (10):589-599 (1999)
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